

Leodegario M. Capulong

Benson Villa Unit B1 Tun Josen Camacho

Tamuning, GU, 96931

P.O. Box 315937 Tamuning, GU 96931

(671)-646-2717

**FILED**  
**DISTRICT COURT OF GUAM**

MAR 30 2010 *[Signature]*

**JEANNEG. QUINATA**  
**CLERK OF COURT**

**DISTRICT COURT OF GUAM**

**TERRITORY OF GUAM**

Leodegario M. Capulong ) **10-00005**  
Plaintiff, )  
vs. )  
Department of Education of Guam ) Complaint  
Defendant. ) Violation of the following:  
 ) Title VII, The Americans with Disabilities Act,  
 ) The Genetic Information Nondiscrimination Act,  
 ) or the Age Discrimination in Employment Act

**Jurisdiction**  
United States District Court of Guam

**Complaint**

Unlawfully terminated after One Month of teaching. Harassment, Accusation based on lies, Unlawful determination, Humiliation in front of students, Ineffective decisions, Violation of the Certification Office, Guam DOE assigning me to a subject that I am not certified.

**Demand**

Reinstatement to Teaching as Teacher 3 under a permanent full time position and to receive all back pay that I loss from different years with intervals.

Dated: March 30, 2010

  
Leodegario M. Capulong  
Benson Villa Unit B1 Tun Josen Camacho  
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DISTRICT COURT OF GUAM

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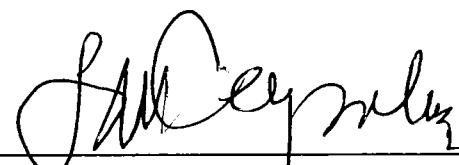
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## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Leodegario M. Capulong**  
**110 Estralita Ct.**  
**Tamuning, GU 96913**

From: **Honolulu Local Office**  
**300 Ala Moana Blvd**  
**Room 7-127**  
**Honolulu, HI 96850**



*On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

486-2009-00344

**Rogelio A Colón,**  
**Investigator**

(808) 541-3118

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

Other (briefly state)

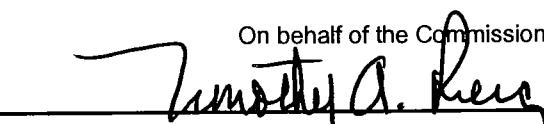
## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible**.

On behalf of the Commission

  
 Timothy A. Riera,  
 Director

(Date Mailed)

Enclosures(s)

cc: **Margaret Cruz**  
**EEO Officer**  
**GUAM PUBLIC SCHOOL SYSTEM**  
**P.O. Box De**  
**Hagatna, GU 96932**

## **INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),  
the Genetic Information Nondiscrimination Act (GINA), or the Age  
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10 – not 12/1/10** -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA back pay recovery period.

**ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do **not** relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

***IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.***

*Copy*

Mr. Leodegario Capulong  
110 Estralita Street  
Tumon Heights, Tamuning 96913

August 28, 2008

Dr. Nerissa Bretania-Schafer  
Superintendent  
Guam Public School System  
P.O. Box DE  
Hagåtña, Guam 96932

Dear Dr. Bretania-Schafer:

I am appealing to you as a certified teacher seeking your assistance to be reinstated as Teacher 3 in the Guam Public School System (GPSS). I was inappropriately terminated and felt that I have not been treated justly for teaching positions that were available. At that same time, GPSS needs to, in good faith, give me meaningful consideration for employment per EEOC #00455.

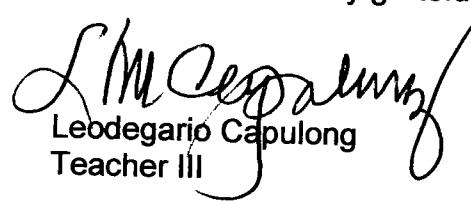
I accepted in good faith a resolution with GPSS with the mediation of an Equal Employment Opportunity Commission (EEOC) that I will be given considerations as I apply for teaching vacant positions. Despite my effort to apply for vacant positions, I was not given due consideration and felt that there are retaliations due to my complaint. I have continually applied but have always been overlooked and seek your indulgence for fair and equitable treatment. There were known teacher shortages and I have always been available for my teacher certification is good to the year 2013. But, I was hardly given a call nor even given meaningful consideration.

I have been with GPSS on a year-to-year probationary status and continually received satisfactory performance rating as Teacher 3. I was last on probationary status during the school year 2006-2007 and was terminated inappropriately despite the satisfactory performance rating. I applied in school year 2007-2008 and would like to continue into school year 2008-2009 but I was not given an employment opportunity despite my teacher certification credentials and my last satisfactory performance rating.

I seek your assistance to be given an opportunity to assist the GPSS and be in the classroom. If you would like, I will provide additional information and clarify any misinformation that may have been given. I can be contacted at my home at telephone number 646-2717 or else meet personally with you to discuss further my situation.



I await your response and hope that you give your most favorable consideration in reinstating my opportunity to teach in the classroom as Teacher 3 at any GPSS middle school level. Thank you for your reviewing my case situation for I know that you are a very busy person. I am very grateful and appreciative of your time.

  
Leodegario Capulong  
Teacher III



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Los Angeles District Office

255 E. Temple Street, 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213) 894-1000  
TTY (213) 894-1121  
FAX (213) 894-1118

## SETTLEMENT AGREEMENT

EEOC Charge Number: 486-2007-00455

Charging Party:

Lao Dogan O

Lapulang

Respondent:

Guam Public  
School System

1. In exchange for the promises made by Respondent pursuant to Charge Number 00455, Charging Party agrees not to institute a lawsuit under Title VII of the Civil Rights Act of 1964 (Title VII), as amended, the Equal Pay Act (EPA), the Age Discrimination in Employment Act of 1967 (ADEA), as amended, or the Americans with Disabilities Act of 1990 (ADA), as amended, based on EEOC Charge Number 00455.
2. Further, the parties agree that submission of this agreement to EEOC will constitute a request for closure of EEOC Charge Number 00455.
3. It is understood that this agreement does not constitute an admission by Respondent of any violation of Title VII of the Civil Rights Act of 1964, as amended, the Equal Pay Act, the Age Discrimination in Employment Act of 1967 as amended, or the Americans with Disabilities Act of 1990, as amended.
4. Respondent agrees that there shall be no discrimination or retaliation of any kind against the Charging Party as a result of filing this charge or against any person because of opposition to any practice deemed illegal under Title VII, the EPA, the ADEA, or the ADA, as a result of filing this charge, or for giving testimony, assistance or participating in any manner in an investigation, proceeding or a hearing under the aforementioned Acts.
5. This document constitutes a final and complete statement of the agreement between the parties to the EEOC.
6. The parties agree that the EEOC is authorized to investigate compliance with this Agreement, and to bring legal action to enforce the settlement.

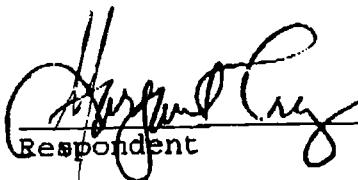
SETTLEMENT AGREEMENT  
EEOC Charge Number  
Page Two

7. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.
8. As evidence of a good faith effort to resolve EEOC Charge Number 00455, the parties agree:
  - a. GPSS agrees to follow through with the approval process of Mr. Capulong's satisfactory performance evaluation for SY '06 - '07 pursuant to provisions of the GPSS/GFT Union Contract responsive to PTEP procedures.
  - b. GPSS agrees to give meaningful consideration to Mr. Capulong's employment application and encourages him to re-apply.

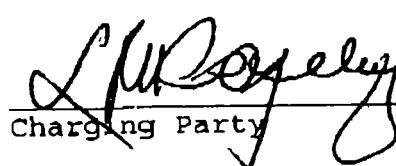
## SETTLEMENT AGREEMENT

EEOC Charge Number

Page Three

Respondent 1/29/08

Date

Charging Party 1/29/08

Date

In reliance on the promises made in paragraphs (1), (2), (4), (5), (6), (7), and (8), EEOC agrees to terminate its investigation and not to use the above-referenced charge as a jurisdictional basis for a civil action under Title VII of the Civil Rights Act, as amended, the Equal Pay Act, the Age Discrimination in Employment Act, or the Americans with Disabilities Act. EEOC does not waive or in any manner limit its right to investigate or seek relief in any other charge including, but not limited to, a charge filed by a member of the Commission against the Respondent.

On Behalf of the Commission:

Olophius Perry, District Director Date  
Los Angeles District Office

S/ADR Program/ADR Forms.main settlement agreement

# Guam Public School System Territory of Guam



Cert. No: A08-1886-2013-R

*Having fully complied with the requirements of the*

**GUAM EDUCATION POLICY BOARD**

*Leodegaro M. Capulong*

*is hereby granted this certificate authorizing the holder to perform the services specified hereon in the Public Schools of the Territory of Guam for the period of time indicated, subject to the conditions prescribed by the Board of Education, and unless revoked by lawful authority.*

**PROFESSIONAL EDUCATOR - Secondary Social Studies  
and Language Arts 6-12\*\*\***

Valid From: August 15, 2008

Expires: August 15, 2013

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*[Signature]*  
JOHN T. ANDERSON  
Education Certification Officer

---

*[Signature]*  
NERISSA SAE-TANIA-SHAFFER, Ph.D.  
Interim Superintendent of Education

Confirmation Date: July 14, 2008

NOTE: Any entry below line of typed Asterisks (\*\*\*\*\*) is void. Any alteration on the certification should be reported to the Guam Public School System, Government of Guam, Hagatna, Guam.

## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This Information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
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## DISMISSAL AND NOTICE OF RIGHTS

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110 Estralita Ct.  
Tamuning, GU 96913

From: Honolulu Local Office  
300 Ala Moana Blvd  
Room 7-127  
Honolulu, HI 96850



*On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

486-2009-00344

Rogelio A Colón,  
Investigator

(808) 541-3118

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Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

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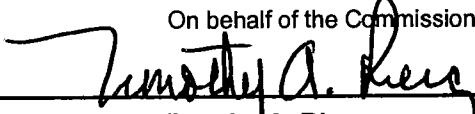
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On behalf of the Commission

  
Timothy A. Riera,  
Director

(Date Mailed)

Enclosures(s)

cc: Margaret Cruz  
EEO Officer  
GUAM PUBLIC SCHOOL SYSTEM  
P.O. Box De  
Hagatna, GU 96932



**GUAM PUBLIC SCHOOL SYSTEM  
OFFICE OF THE SUPERINTENDENT**

P.O. Box DE  
Hagåtña, Guam 96932  
Telephone: (671) 475-0457/0458  
Fax: (671) 472-5003  
Email: [ireyes@gdoe.net](mailto:ireyes@gdoe.net)  
[www.gdoe.net](http://www.gdoe.net)



**NERISSA BRETANIA-SHAFER, Ph.D.**  
Superintendent of Education

January 20, 2009

Mr. Leodegario Capulong, Teacher  
135 Orchid Lane  
Latte Heights, Guam 96913

Dear Mr. Capulong:

On October 7, 2008 you were hired as a Teacher for Untalan Middle School. We regret to inform you that at the recommendation of the School Principal of Untalan Middle School, your employment was unsatisfactory, therefore your employment is terminated effective, **Friday, January 23, 2009** pursuant to GPSS (formerly DOE) Personnel Rules and Regulations, Section 904.900. I herewith attach.

Sincerely,

A handwritten signature in black ink, appearing to read "Nerissa Shafer".

**NERISSA BRETANIA SHAFER, Ph.D.**  
Superintendent of Education

**cc: Acting Deputy Superintendent, Educational Support and Community Learning  
Principal, Untalan Middle School  
GPSS Legal Counsel  
EMRO**

Oct 7, 2008 - hired

# Guam Public School System Territory of Guam



Cert. No. A08-1886-2013-R

Having fully complied with the requirements of the

## GUAM EDUCATION POLICY BOARD

*Leodegaro M. Capuloy*

is hereby granted this certificate authorizing the holder to perform the services specified herein in the Public Schools of the Territory of Guam for the period of time indicated, subject to the conditions prescribed by the Board of Education and unless revoked by lawful authority.

**PROFESSIONAL EDUCATOR - Secondary Social Studies  
and Language Arts 6-12\*\*\***

Valid From: August 15, 2008

Expires: August 15, 2013

*John Anderson*  
JOHN  
Education/Certification Officer

*Nerissa Bre Tanja Shafer, Ph.D.*  
NERISSA BRE TANJA SHAFER, Ph.D.  
Interim Superintendent of Education

Confirmation Date: July 14, 2008

NOTE: Any entry below line of typed asterisks (\*\*\*\*) is void. Any alteration on the certification should be reported to the Guam Public School System, Government of Guam, Hagåtña, Guam.



# U.S. Equal Employment Opportunity Commission Honolulu Local Office

300 Ala Moana Blvd  
Room 7-127  
Honolulu, HI 96850  
(808) 541-3118  
TTY (808) 541-3131  
FAX (808) 541-3390

Respondent: GUAM PUBLIC SCHOOL SYSTEM  
EEOC Inquiry No.: 486-2009-00344

May 20, 2009

Leodegario M. Capulong  
110 Estralita St.  
Tamuñin, GU 96913

Dear Mr. Capulong:

This is with reference to your recent inquiry (an office visit, phone call, correspondence, or electronically submitted intake questionnaire) in which you alleged employment discrimination by the above-named respondent. The information provided indicates that the matter complained of is subject to the statute(s) checked off below:

- Title VII of the Civil Rights Act of 1964 (Title VII)
- The Age Discrimination in Employment Act (ADEA)
- The Americans with Disabilities Act (ADA)
- The Equal Pay Act (EPA)

The attached EEOC Form 5, Charge of Discrimination, is a summary of your claims based on the information you provided. To enable proper handling of this action by the Commission you should:

- (1) Review the enclosed charge form and make corrections.
- (2) Sign and date the charge in the bottom left hand block where I have made an "X".
- (3) Return the signed charge to this office.

These steps are necessary if you wish to file a charge. No charge has been filed because the correspondence you submitted was not signed. Since charges should be filed within the time limits imposed by law, please complete these steps as soon as possible. Please call me at the number listed below if you have any questions. If you have to call long distance, please call collect.

IF WE DO NOT RECEIVE YOUR SIGNED CHARGE WITHIN 30 DAYS OR HEAR FROM YOU WITHIN 30 DAYS, WE WILL ASSUME THAT YOU DECIDED NOT TO FILE A CHARGE OF DISCRIMINATION WITH EEOC.

Please be aware that after we receive your signed charge, the EEOC will send a copy of the charge to the agency listed below as required by our procedures. If that agency processes the charge, it may require the charge to be signed before a notary public or an agency official. The agency will then investigate and resolve the charge under their statute.

Guam Department of Labor  
PO Box 9970  
Tamuñin, GU 96931

ADDITIONAL FACTS:

1. PERSON TO CONTACT -

FLORDELIZA VALDEZ - 671-632-2341

PETE LIPATA - 671-647-5868

4 - AFTER (1) MONTH OF TEACHING  
IN THE SUBJECT THAT IS NOT MY  
ESPECIALITY & NOT CERTIFIED, THEY

MR DEXTER FULLO & MS. MARIA  
<sup>(acting Principal)</sup>  
SAN NICOLAS CHARGED ME THAT  
VICE (discipline)

I WAS LETTING MY KID OR STUDENT  
PLAY IN THE CAFETERIA & WAS  
REPORTED TO THEM BY CAFETERIA  
WORKERS. THEY INITIATED LOT OF  
CHARGES AGAINST ME AFTER THEY  
PLACED ME ON ADMINISTRATIVE LEAVE  
UNTIL MY TERMINATION ON JAN 23/09  
DIDN'T EVEN GIVE ME A CHANCE TO  
SPEAK & PROVE MY INNOCENCE.  
BEFORE I WAS PLACED ON ADM. LEAVE  
I ASKED THESE TWO ADMINISTRATORS  
TO COME INTO MY ROOM SO THEY

COULD ATTEST TO THEMSELVES HOW RUDE  
THE STUDENTS WERE AND INSTEAD OF BRINGING  
THOSE STUDENTS WITH THEM, THEY JUST STOOD  
THEIR AND ASKED ME TO LEAVE MY ROOM  
AND REPLACED BY A SCHOOL AID. I WAS  
TERRIBLY HUMILIATED BY THE WRONG  
ACTION OF MR DEXTER FULLO. I STILL  
REMEMBER IN OUT OF OUR WORKSHOP W/HIM  
& OTHER FELLOW TEACHERS, HE STARTED  
LAUGHING & RIDICULING OUR STUDENT  
AND TELLING US THAT THEY ARE CRAZY  
AND STUPID; THIS STATEMENT HE TOLD US  
WAS I CONSIDERED CONDUCT UNBECOMING  
OF AN ADMINISTRATOR AND HE SHOULD NOT  
BE ENTRUSTED IN THAT POSITION. I DONT  
UNDERSTAND THIS DEXTER FULLO WHY HE  
WAS VERY INSISTENT TRANSFERRING ME  
TO ANOTHER SCHOOL (BEAUSANTE MIDDLE  
SCHOOL WHICH MR CHRIS ANDERSON  
DID TO ME WHEN I FIRST FILED COMPLAINT  
WITH THE EEOC IN HAWAII. I BELIEVE  
THAT THESE WRONG PRACTICE OF ADMINISTRATORS  
RUIN SCHOOLS BY THESE ADMINISTRATORS  
SHOULD BE STOPPED. THEY ARE VERY INEFFEC-  
TIVE CAUSING FEAR & STRESS TO MOST  
TEACHERS AND SUPPORT STAFFS.

MR. FULLO HAS NO RIGHT TO PULL ME OUT  
RIGHT THERE IN THE PRESENCE OF MY STUDENTS.  
IT IS A VIOLATION OF MY CIVIL RIGHTS AS  
& PROF. EDUCATOR. HE SHOULD HAVE ASKED  
THOSE STUDENT WHO WERE CURSING OR HE  
IS READY TO ATTACK ME IN HIS PRESENCE.  
I ALSO WANT TO REPORT TO YOU THAT  
THE SCHOOL ADMINISTRATION SHOULD NOT  
HAVE ASSIGNED A PERSON IN MY ROOM  
WHO WAS SUFFERING FROM SEIZURE &  
ANXIETY ATTACK. MY JOB WAS DOUBLED  
WATCHING HIM EVERYDAY, TO PROTECT HIM  
FROM INSULT, PROFANITIES AND LOT OF  
BAD WORDS INSTEAD OF HELPING ME.  
( HIS NAME WAS MR MILLER ) HE IS STILL  
IN OUR SCHOOL. LAST TIME I SAW HIM,  
HE WAS IN A WHEELCHAIR.  
OUR ADMINISTRATORS SHOULD NOT BLAMED  
THE STUDENTS RUDENESS TO THE TEACHER.  
( MR ALEXIS ADA ) FORMER CHAIRMAN  
OF THE BOARD OF EDUCATION TOLD ME THAT  
TEACHERS ARE NOT BABYSITTERS AND THEY  
ARE THERE TO TEACH, TO IMPART KNOWLEDGE,  
TO NURTURE AND ENHANCE. OUR SCHOOL  
ADMINISTRATION SHOULD SEE TO IT & WORK  
FOR THE DISCIPLINE OF STUDENTS.

CHARGING TEACHERS OF FALSE, LIES, AND  
DECEITFUL ACCUSATIONS IN THEIR ABSENCE  
ARE A TREACHEROUS WAY WHICH THEY HAVE  
BEEN DOING FOR SO MANY YEARS.  
TO MEANINGS:

1. IN 1998 MR. ERIC MARK - GPSS PRINCIPAL ASSISTED  
IN F.B. LEON GUERRERO  
UNLAWFULLY TERMINATED ME IN  
SCH. YR 1997-98. ONE OF OUR VICE  
PRIN. OF DISCIPLINE MRS. WINNIE  
MARTINEZ, PROVED MY INNOCENCE,  
& THE SUPERINTENDENT MR. ROLAND  
TSIASOGLO RESCINDED MY TERMINATION.

2. YEAR 1999-2000 - GPSS PRINCIPAL MR  
ED DUNN UNLAWFULLY TERMINATED  
ME WHILE I WAS UNDER MEDICAL  
TREATMENT FROM THE INJURY WHICH  
I SUSTAINED FROM 2 STUDENTS  
FOR PROTECTION. ONE OF MY FEMALE  
STUDENTS (NICHOL MEDO) FROM  
SEXUAL MOLESTATIONS. SAID ATTACKER  
BEAT ME IN THE HEAD & GAVE ME  
BLOWS IN THE CHEST CAUSING ME  
TO SUFFER CHRONIC SPINE, NECK &  
LOWER BACK PROBLEMS.

GOSH (5)

THEY WERE APPREHENDED BY THE POLICE DEPT  
AND WERE BOTH CHARGED ASSAULT. PRINCIPAL  
( EDI DUNN ) NEVER COOPERATED WITH THE  
POLICE AFTER 7 TO 10 TIMES THE POLICE  
TRIED TO SPEAK TO HIM. SINCE THAT  
MAY OF 2000 TO YEAR 2007, I LOST ALL  
SALARIES, INCREASEATS & OTHER BECAUSE  
THEY DIDN'T PUT ME BACK TO SCHOOL  
INSPITE OF ALL MY EFFORTS.

YEAR 2007/2008 -

I WAS HIRED AND ASSIGNED TO (GPSS)  
AGUEDA JOHNSTON MIDDLE SCHOOL, MY  
JOB AS A PROF. TEACHER WAS RUINED  
AGAIN BY PRINCIPAL - MR. CHRISTOPHER  
ANDERSON & VICE PRINCIPAL MILAFIOR  
QUITUGUA WHO WERE IN CONSPIRACY TO  
REMOVE ME IN THE SCHOOL FOR NO VALID  
REASONS. - AGAIN, I LOST ALL MY SALARIES  
FOR THIS <sup>SCH</sup> YEAR.

SCH

YEAR 2008/2009 - UNDER - PRIN. DEXTER FULL  
THERE WAS BREACH OF AGREEMENT AFTER  
GPSS, UE (UNION) MET WITH MS. TRICIA SPEAR  
FOR MEDIATION. IT WAS LATE OCTOBER OF 2008  
THAT THEY ONLY LET ME START. AFTER  
1 MOS. OF TEACHING - ANOTHER TERMINATION.

(6)

BASED ON ALL THESE FACTS THAT I AM  
EXPOSING, I STRONGLY BEG & PLEAD THE  
EEOC TO HELP ME IN FILLING THIS  
~~RETALIATION CHARGE~~  
~~DISMISSES~~ TO THE FEDERAL COURT TO  
STOP THIS INEFFECTIVE PRACTICE EXISTING  
IN GPSS AND ALSO THAT I MY RECOVER  
ALL THE CLAIMS THAT IS DUE OF ME.

WORKMEN'S COMPENSATION BUREAU  
IN GUAM TOLD ME, THE GUAM PUBLIC  
SCHOOL SYSTEM IS RESPONSIBLE FOR  
ALL THESE PAYMENTS. PLEASE HELP ME!!

Respectfully,  
Lia M Caputo  
(671) 646-2717

PLEASE CONTACT THE FP:

1. MS. MARILYN CASTRO - GPSS - UNION M.S  
MR. JEFF BORCINSKI - UNION STEWARD (671) 735-3110
2. MRS LYN DIEGO - (671) 828-8211 EXT(2738)
3. MILA ODERO - (671) 734-0479  
... - (671) 735-3110
4. PRISCILA PEREZ - (671) 735-3110  
cell-969-1144
5. BEN RIVERA - (671) 735-3110
6. ROBERT KOSH - (671) 969-3218 OR  
671-725-4220 - (671) 456-7133



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Los Angeles District Office**

255 E. Temple Street, 4<sup>th</sup> Floor  
 Los Angeles, CA 90012  
 (213) 894-1000  
 TTY (213) 894-1121  
 FAX (213) 894-1118

## SETTLEMENT AGREEMENT

EEOC Charge Number: 486-2007-00455

## Charging Party:

Woodquario  
 Lapulang

## Respondent:

Guam Public  
 School System

1. In exchange for the promises made by Respondent pursuant to Charge Number 00455, Charging Party agrees not to institute a lawsuit under Title VII of the Civil Rights Act of 1964 (Title VII), as amended, the Equal Pay Act (EPA), the Age Discrimination in Employment Act of 1967 (ADEA), as amended, or the Americans with Disabilities Act of 1990 (ADA), as amended, based on EEOC Charge Number 00455.
2. Further, the parties agree that submission of this agreement to EEOC will constitute a request for closure of EEOC Charge Number 00455.
3. It is understood that this agreement does not constitute an admission by Respondent of any violation of Title VII of the Civil Rights Act of 1964, as amended, the Equal Pay Act, the Age Discrimination in Employment Act of 1967 as amended, or the Americans with Disabilities Act of 1990, as amended.
4. Respondent agrees that there shall be no discrimination or retaliation of any kind against the Charging Party as a result of filing this charge or against any person because of opposition to any practice deemed illegal under Title VII, the EPA, the ADEA, or the ADA, as a result of filing this charge, or for giving testimony, assistance or participating in any manner in an investigation, proceeding or a hearing under the aforementioned Acts.
5. This document constitutes a final and complete statement of the agreement between the parties & the EEOC.
6. The parties agree that the EEOC is authorized to investigate compliance with this Agreement, and to bring legal action to enforce the settlement.

## SETTLEMENT AGREEMENT

EEOC Charge Number

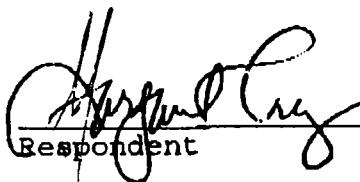
Page Two

7. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

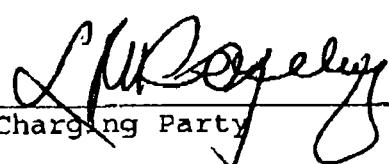
8. As evidence of a good faith effort to resolve EEOC Charge Number 00455, the parties agree:

- a. GPSS agrees to follow through with the approval process of Mr. Capulong's satisfactory performance evaluation for SY 06 - 07 pursuant to provisions of the GPSS/GFT Union Contract responsive to PTEP procedures.
- b. GPSS agrees to give meaningful consideration to Mr. Capulong's employment application and encourages him to re-apply.

SETTLEMENT AGREEMENT  
EEOC Charge Number  
Page Three

 1/29/08  
\_\_\_\_\_  
Respondent

Date

 1/29/08  
\_\_\_\_\_  
Charging Party

Date

In reliance on the promises made in paragraphs (1), (2), (4), (5), (6), (7), and (8), EEOC agrees to terminate its investigation and not to use the above-referenced charge as a jurisdictional basis for a civil action under Title VII of the Civil Rights Act, as amended, the Equal Pay Act, the Age Discrimination in Employment Act, or the Americans with Disabilities Act. EEOC does not waive or in any manner limit its right to investigate or seek relief in any other charge including, but not limited to, a charge filed by a member of the Commission against the Respondent.

On Behalf of the Commission:

\_\_\_\_\_  
Olophius Perry, District Director Date  
Los Angeles District Office

S/ADR Program/ADR Forms/main settlement agreement



**U.S. Equal Employment Opportunity Commission  
Honolulu Local Office**

300 Ala Moana Blvd  
Room 7-127  
Honolulu, HI 96850  
(808) 541-3118  
TDD: 1-800-669-6820  
FAX (808) 541-3390  
1-800-669-4000

Respondent: GUAM PUBLIC SCHOOL SYSTEM

EEOC Charge No.: 486-2009-00344

FEPA Charge No.:

June 2, 2009

Leodegario M. Capulong  
110 Estralita St.  
Tumuning, GU 96913

Dear Mr. Capulong:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- Title VII of the Civil Rights Act of 1964 (Title VII)
- The Age Discrimination in Employment Act (ADEA)
- The Americans with Disabilities Act (ADA)
- The Equal Pay Act (EPA)

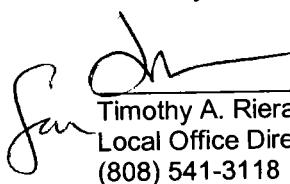
Please complete the enclosed Invitation to Mediation and return to the address provided. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

Guam Department of Labor  
PO Box 9970  
Tumuning, GU 96931

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

  
\_\_\_\_\_  
Timothy A. Riera  
Local Office Director  
(808) 541-3118

Office Hours: Monday – Friday, 8:00 a.m. - 4:30 p.m.

[www.eeoc.gov](http://www.eeoc.gov)



**Guam's Local Union**

**RECEIVED**

**By: A.S**

**Date: 6/8/09**



# THE EEOC MEDIATION PROGRAM



## LOS ANGELES DISTRICT OFFICE

### INVITATION TO MEDIATE DISCRIMINATION COMPLAINTS

*The EEOC has implemented a mediation program that provides an alternative to possible extensive investigations and expensive litigation of discrimination charges.*

#### Features:

- **Free to the parties**
- **Voluntary participation**
- **Early and complete resolution (60-90 days) of charges filed with the EEOC**
- **At least 70% probability of settlement**
- **Experienced professional mediators**
- **Complete confidentiality during the process**
- **Convenience of scheduling the mediation**

#### Program Description

Mediation is an alternative resolution method used to reduce the costs and delays associated with resolving disputes. It is a process whereby a neutral third party, the mediator, helps the parties to a dispute and reach a mutually acceptable resolution.

Sessions are conducted by mediators (at no cost) with training and experience in conflict resolution. Mediation is voluntary and has resulted in a very high settlement rate because the resolutions are crafted by the disputants themselves, with the mediator's assistance.

The process is informal and confidential. The proceedings are non-evidentiary and the sessions are not recorded. Mediation is not a litigation process and does not require the presence of an attorney, although the parties may have an attorney present if they wish. All principals speak on their own behalf. Mediation agreements do not constitute an admission of any violation of the laws enforced by EEOC. All settlements are enforceable and are recognized by the EEOC and the courts as resolving the EEOC charge.

During the mediation session each party explains their view of the problem and what they believe is necessary to resolve the dispute. The mediator will then work to assist the participants in reaching a settlement satisfactory to all those involved.

If you would like to participate in mediation, simply complete the attached election form and return it within 10 days or you may fax your reply to:

**For Further Information Contact:**

Cherry-Marie D. Rojas, ADR Coordinator

**Tel.:** (213) 894-1030

Case 1:10-cv-00005 ~~Baxum~~ (213) 894-8885/30/10 Page 30 of 72

MEDIATION ELECTION FORM

TO: U.S. Equal Employment Opportunity Commission

ATTN: ADR Unit  
255 East Temple Street, Fourth Floor  
Los Angeles, CA 90012  
Fax # (213) 894-8385

RE: CHARGE NUMBER:

488-2009-00344

FROM: LEODEGARO M. Capalosky - 671-646-2717

Name and Title of Contact Person

ROBERT KOSH

GUAM FEDERATION OF TENNERS

- 671-735-4390

Address

110 ESTRALITA ST, TAMUING

Address

GUAM, 96913, USA

City, State, Zip Code

671-646-2717 OR 1988-4151

Telephone Number

Fax Number

E-mail

I am the [check one]:  Charging Party  Respondent  
LEODEGARO M. Capalosky Name of Charging Party \_\_\_\_\_ Name of Respondent

[please initial] I have read the attached Invitation to Mediate.

I [check one]:

will participate in the EEOC Mediation Program. I understand that I do not need to submit any written material concerning this Charge and that someone will be contacting me to discuss further details about the mediation process and to schedule a session.

will not participate in the EEOC Mediation Program. If I am the Respondent, I understand that I must submit a written position statement and/or RFI as indicated in the Notice of Charge of Discrimination at Box #3.

In making a good faith effort to resolve the matter through mediation, I agree that someone with authority to sign the mediation agreement will attend the mediation session. Participants acknowledge that if an agreement is reached as a result of the mediation effort, the assigned mediator(s) is required to report to EEOC any benefits received. This information is reported only for purposes of providing aggregate data to the EEOC for ADR program evaluation purposes.

Date: 6/9/09

Signature: S. M. Capalosky

## GOVERNMENT OF GUAM

## DEPARTMENT OF EDUCATION

## NOTIFICATION OF PERSONNEL ACTION

ED: 25669-99

① NAME (Mr.-Miss-Mrs.-One Given Name, Initial(s), and Surname)	2. DATE OF BIRTH	③ SOCIAL SECURITY NO.	4. DATE
Leodegario M. Capulong	11/30/47	552-63-3565	08/19/99

THIS IS TO NOTIFY YOU OF THE FOLLOWING ACTION AFFECTING YOUR EMPLOYMENT:

⑤ NATURE OF ACTION (Use Standard Terminology) <b>PROBATIONAL APPOINTMENT</b> Full-Time Employee	6. LEGAL AUTHORITY Public Law 25-03	⑦ EFFECTIVE DATE 08/24/99
---	--	------------------------------

FROM	TO
	⑧ POSITION TITLE Teacher III (03422)
	⑨ PAY RANGE AND SALARY Grade L-4, \$31,493.00 P/A
	10. DEPARTMENT OR AGENCY DEPARTMENT OF EDUCATION
	11. DIVISION PUBLIC SCHOOLS
	12. SECTION J.F.K. HIGH (4042)
	13. ALLOTMENT NO. 11.9.40.42.10.0111.0008

14. BUDGET POSITION NO. FROM: VICE ( ) TO: NEW ( <input checked="" type="checkbox"/> ) NEW POSITION	15. POSITION CLASSIFICATION ACTION NEW ( <input checked="" type="checkbox"/> ) NEW POSITION	16. RETIREMENT Y = YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	17. LIFE INS. Y = YES; N = NO CAT _____	18. HEALTH INS. Y = YES; N = NO CAT _____
19. TYPE OF CERTIFICATE/EXP. DATE		20. BASIS OF CLASSIFICATION	21. RESIDENT STATUS	22. NEW EMPLOYEE ( ) CONTINUING ( )

23. REMARKS: THIS ACTION IS SUBJECT TO ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AND IS SUBJECT TO POST AUDIT BY THE CIVIL SERVICE COMMISSION.

Permanent Position

Subject to satisfactory medical examination.

25. Certified Funds Available  
Amount \$ 31,493.00 P/ADE-1 Certified Funds Available  
By: VICTORIA C. QUENGA  
For Certifying Officer  
Department of EducationMICHAEL J. REYES  
Director of Education, Acting26. APPOINTING AUTHORITY OR  
DESIGNEELUIS S.N. REYES  
24. Associate Supt.  
Personnel Ser.  
11/19/09

DVGUAM (DODE) 1800/2N 57-741

GOVERNMENT OF GUAM  
DEPARTMENT OF EDUCATION  
**NOTIFICATION OF PERSONNEL ACTION**

ED: 6358-2000

① NAME (Mr.-Miss-Mrs.-One Given Name, Initial(s), and Surname)	2. DATE OF BIRTH	③ SOCIAL SECURITY NO.	4. DATE
Leodegarie M. Capulong	11/30/47	552-63-3565	06/20/2000

THIS IS TO NOTIFY YOU OF THE FOLLOWING ACTION AFFECTING YOUR EMPLOYMENT:

⑤ NATURE OF ACTION (Use Standard Terminology)	6. LEGAL AUTHORITY	⑦ EFFECTIVE DATE
<b>TERMINATION</b> Full-Time Employee	Public Law 25-03	06/23/2000 COB

FROM	TO
<b>Teacher III (03422)</b>  Grade L-4, \$31,493.00 P/A	<b>POSITION TITLE</b>  <b>PAY RANGE AND SALARY</b>
<b>DEPARTMENT OF EDUCATION</b>  <b>PUBLIC SCHOOLS</b>	<b>10. DEPARTMENT OR AGENCY</b>  <b>DEPARTMENT OF EDUCATION</b>  <b>PUBLIC SCHOOLS</b>
<b>J.F.K. HIGH (4042)</b>  <b>11.0.40.42.10.0111.0000</b>	<b>11. DIVISION</b>  <b>12. SECTION</b>  <b>13. ALLOTMENT NO.</b>

⑯ BUDGET POSITION NO.	15. POSITION CLASSIFICATION ACTION	⑯ RETIREMENT Y = YES; N = NO	⑯ LIFE INS. Y = YES; N = NO	⑯ HEALTH INS. Y = YES; N = NO
FROM: TO:	VICE ( ) NEW ( )	CAT	CAT	CAT
⑯ TYPE OF CERTIFICATE/EXP. DATE	⑯ BASIS OF CLASSIFICATION	⑯ RESIDENT STATUS	⑯ NEW EMPLOYEE ( )	
			CONTINUING ( )	

23. REMARKS: THIS ACTION IS SUBJECT TO ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AND IS SUBJECT TO POST AUDIT BY THE CIVIL SERVICE COMMISSION.

pursuant to Section 904.900 of the Department of Education, Personnel Rules and Regulations.

25. Certified Funds Available  
Amount \$ \_\_\_\_\_

LUIS S.N. REYRS  
24. Associate Supt.  
Personnel Ser.

By: "NOT APPLICABLE"  
For Certifying Officer  
Department of Education

ROSTE R. TAINATONGO  
Director of Education

26. APPOINTING AUTHORITY OR  
DESIGNEE

April 19, 1999

To: Mr. John Burch  
Mrs. June Pangelinan  
Mr. Dave Blas  
Guam Federation of Teachers

From: Limited-Term Teacher  
Department of Education

I sincerely seek for your full support concerning my termination from my teaching job at Untalan Middle School without valid reason and evidence on October 15, 1998. Mr. Ulric Mark, the Acting Principal, accused me of misconduct without proper investigation. His allegations against me were proven to be very inaccurate, and I consider this as injustice for me. His accusation without truth damaged my reputation on the island. Perhaps, my Teaching Certificate has been put on hold due to the allegations that Mr. Mark filed against me. Please see attached documents.

Thank you for your help and prompt attention on this matter.

Sincerely,

Leodegario Capulong



INTERNATIONAL AFFAIRS DEPARTMENT  
FACSIMILE

DATE: AUGUST 17, 2000

TO: JOHN BURCH, PRESIDENT

GUAM FEDERATION OF TEACHERS

FAX: 671-734-8085

FROM: TIMOTHY R. SHEA, ASSOCIATE

TEL: (202) 879-4483 FAX: (202) 879-4502

EMAIL: [tshea@aft.org](mailto:tshea@aft.org)

RE: MEMBER CONTACT

C: SOL SMITH, AFT REGIONAL DIRECTOR

DAVID STROM, AFT IN-HOUSE COUNSEL (503-968-7906)

NUMBER OF PAGES (INCLUDING COVER): 2

Dear Mr. Burch:

The following is a written synopsis of a conversation one of your members had with our department this week. David Strom, In-House Counsel at the AFT asked me to forward this synopsis to you and Sol Smith, AFT Regional Director. Should Mr. Capulong call again, we will transfer the call to Mr. Strom in the Legal Department per his direction.

SYNOPSIS

The International Affairs Department was routed a phone call by a high school teacher from Guam named Leo Capulong. Mr. Capulong is seeking legal representation from the AFT for what he feels is a breach of due process.

As he tells it, Mr. Capulong, a teacher at John F. Kennedy High School, was physically assaulted by several of his male students in June, with the extent of his injuries being severe enough to require physical therapy. During his convalescence, and while he was in consultations with his doctor, Mr. Capulong says that he was terminated from employment. He says that he was not given any reason for being terminated, and that this has caused both himself and his family severe financial and

emotional hardship, for he essentially has been "blacklisted" as a teacher in Guam and cannot find teaching work elsewhere.

According to Mr. Capulong, the Guam Department of Education has rules that allow it to terminate a teacher without explanation. This, he says, is in conflict with Union rules. However, according to Mr. Capulong, the Guam Federation of Teachers has either been unwilling or unable to help him in getting an explanation from the Education Department or in getting reinstated as a teacher. He says he has tried to contact the Guam Federation of Teacher's President, John Burch, several times, with no response, and also that he has had little success in contacting the Vice-President, Barbara Blas (he speculates she may have resigned since her husband resigned from the Guam Federation of Teachers). It is uncertain whether all this is due to local politics.

Mr. Capulong's phone number is (671) 632-7717 (I did not obtain a fax or e-mail address). He has also provided the names and phone numbers of two of his former co-workers:

Alex Saler (617) 649-3423	Matt Rector (671) 472-5915
------------------------------	-------------------------------

According to Mr. Capulong, Matt Rector is the school's union representative who has supported Mr. Capulong, and was surprised to discover, after he had gotten back from vacation, Mr. Capulong's termination. Ms. Saler is an American teacher from San Jose who Mr. Capulong says can provide a clear perspective of events.

Mr. Capulong also provided the number of an investigative journalist from the *Pacific Daily News*:

Jane Flores  
(617) 477-4487

Ms. Flores is prepared to publish an exposé of the Department of Education's policies and of Mr. Capulong's experience, but he has said the Union has advised him not to do this in that it might cause more harm than good.

Mr. Capulong is looking for a positive response from the AFT on this matter.

The administration of JFK is derelict in its duty of providing corrective discipline to students exhibiting profane, abusive and violent behavior endangering the safety of its employees and other students.

In February 2000, Mr. Capulong referred students Mitch Martinez and Ross Leon Guerrero to administration for breaking school property. Administration never acted upon Mr. Capulong's referral. Students were still reporting to class the next day.

In March 2000, Mr. Capulong reported to his D.C. the vulgar, copulating and sexual exhibition of students Mitch Martinez and Elizabeth Edney in full view of classmates in violation of school policy. The D.C. advised Mr. Capulong to fail the student.

On March 30, 2000, student Mitch Martinez struck Mr. Capulong three times on the head while he was taking attendance. Student Martinez then moved away, picked up wadded-up paper and threw it to Mr. Capulong striking Mr. Capulong on the head. Mr. Capulong instructed student Martinez to wait outside his room then sent two students to find school aides. They returned announcing no school aides were around. Mr. Capulong then found student Martinez had moved from his assigned spot to the stairway around the corner 15 ft. away. When Mr. Capulong went to retrieve student Martinez, student Martinez attacked Mr. Capulong.

On April 14, 2000, Mr. Capulong was served a Memorandum of Warning for endangering the safety of his students when he went to retrieve student Martinez 15 ft. Away.

On May 1, 2000, Mr. Capulong was attacked by student Duane Aldan after trying to diffuse the student's violent behavior ie. cursing and throwing a chair. Student Aldan fly-kicked Mr. Capulong on the chest. Mr. Capulong had boot marks along his arm from blocking several kicks from student Aldan.

Mr. Capulong was transferred to DOE Central office. Mr. Capulong was instructed to submit sick leave to recuperate from his injuries by his doctor. Mr. Capulong submitted paperwork for workman's compensation to J.F.K. administration but has not received any response as of May 22, 2000.

*✓ Mr. Capulong  
June 18/2000*

## PRE-CHARGE INSTRUCTIONS

This information is being given to you to help you decide whether or not your employment problem can be handled by the United States Equal Employment Opportunity Commission (EEOC). IT IS NOT MEANT TO DISCOURAGE YOU FROM FILING A CHARGE. If you have difficulty understanding these instructions or need special assistance, ask to speak to one of the Intake Officers.

Our TDD telephone number for hearing and/or speech impaired persons is (808) 541-3131.

Sometimes employment practices are unfair, but no illegal. If you answer "YES" to the following questions you probably have the basis for filing a charge with this agency. Generally, a charge must be filed within 300 days of the date the alleged act of discrimination occurred in the state of Hawaii, or 180 days in Guam, the Commonwealth of Northern Mariana Islands (CNMI), American Samoa and Wake Island. (NOTE: IF YOU HAVE ALREADY FILED A CHARGE WITH THE HAWAII CIVIL RIGHTS COMMISSION COVERING THE SAME ACTIONS, IT IS NOT NECESSARY FOR YOU TO ALSO FILE WITH THE EEOC, STOP AND ASK TO SPEAK TO AN INTAKE OFFICER BEFORE PROCEEDING.)

We can take only charges illegal discrimination. This means that the unfair treatment you claim to have received must have happened because of one or more of the reasons below.

1. Your Race
2. Your Color
3. Your Sex
4. Your National Origin or Ancestry
5. Your Religious Beliefs
6. Your Age (if you are age 40 or over)
7. Your Pregnancy
8. Your Disability
9. Retaliation for the following:

Because you opposed an act violating one of the laws enforced by the EEOC;

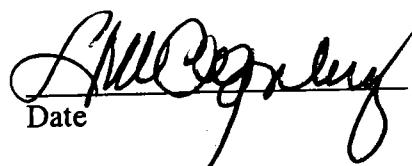
Because you participated in any way in an investigation or proceeding conducted by the EEOC; or

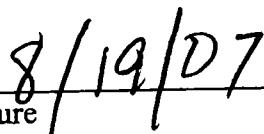
Because you are associated with someone protected by one of the laws enforced by the EEOC.

UNFAIR TREATMENT THAT IS NOT DUE TO ONE OR MORE OF THE ABOVE REASONS ARE NOT HANDLED BY THE EEOC.

If you believe that the action taken against you was based on one or more of the above reasons, please be prepared to explain to the Intake Officer how you were discriminated against and who was treated better than yourself.

I have read and received a copy of the Pre-Charge Instructions and the Charge Processing Information Sheet.

  
Date

  
Signature

Fax Number :  
Name :

Name/Number : 18085413390  
Page : 16  
Start Time : AUG-28-2007 04:40PM TUE  
Elapsed Time : 05' 22"  
Mode : STD ECM  
Results : [ O. K.]

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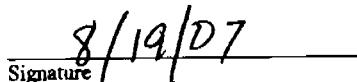
1. Your Race
2. Your Color
3. Your Sex
4. Your National Origin or Ancestry
5. Your Religious Beliefs
6. Your Age (if you are age 40 or over)
7. Your Pregnancy
8. Your Disability
9. Retaliation for the following:  
Because you opposed an act violating one of the laws enforced by the EEOC;  
Because you participated in any way in an investigation or proceeding conducted by the EEOC; or  
Because you are associated with someone protected by one of the laws enforced by the EEOC.

UNFAIR TREATMENT THAT IS NOT DUE TO ONE OR MORE OF THE ABOVE REASONS ARE NOT HANDLED BY THE EEOC.

If you believe that the action taken against you was based on one or more of the above reasons, please be prepared to explain to the Intake Officer how you were discriminated against and who was treated better than yourself.

I have read and received a copy of the Pre-Charge Instructions and the Charge Processing Information Sheet.

  
Date

  
Signature



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Honolulu Local Office**

300 Ala Moana Blvd., Rm 7-127  
P.O. Box 50082  
Honolulu HI 96850  
(808) 541-3118  
TTY (808) 541-3131  
FAX (808) 541-3390

**INTAKE QUESTIONNAIRE**

Please immediately complete the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). Incomplete responses may delay further processing of your questionnaire by EEOC. If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "n/a."

**(PLEASE PRINT)**

**1. Personal Information**

Last Name: CAPULONG First Name: LEODEGARIO MI: M.  
Street or Mailing Address: 135 ORCHID LANE LATTE HEIGHTS Apt Or Unit #: \_\_\_\_\_  
City: MANGILAO County: U.S.A. State: GUAM Zip: 96913  
Phone Numbers: Home: (671) 632-7717 Work: ( )  
Cell: ( ) Email Address: mkcapulong@gmail.com  
Date of Birth: 11/30/1947 Sex: Male  Female  Race: FILIPINO (ASIAN)  
National Origin / Ethnicity FILIPINO Do You Have a Disability? Yes  No

Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: KATRINA CAPULONG Relationship: DAUGHTER  
Address: 135 ORCHID LANE LATTE HTS City: MANGILAO State: GU Zipcode: 96913  
Home Phone: (671) 632-7717 Other Phone: (671) 988-4151

I believe that I was discriminated against by the following organization(s): (Check those that apply)

Employer  Union \_\_\_\_\_ Employment Agency \_\_\_\_\_ Other (Please Specify) \_\_\_\_\_

**2. Organization Contact Information**

Organization #1 Name: GUAM PUBLIC SCHOOL SYSTEM: Augeda Johnston Middle School  
Address: 192 DERO ROAD  
City: OROOT State: GU Zip: 96910 Phone: (671) 472-6785/6947  
Type of Business: SCHOOL Job Location if different from Org. Address: \_\_\_\_\_  
Human Resources Director or Owner Name: RAY LIZAMA Phone: (671) 475-0495

Number of Employees in the Organization at All Locations: Please Check (/) One

Less Than 15  15 - 100  101 - 200  201 - 500  More 500

Organization #2 Name: n/a  
 Address: n/a  
 City: n/a State: n/a Zip: n/a Phone: (n/a)  
 Type of Business: n/a Job Location if not at Org. Address: n/a  
 Human Resources Director or Owner Name: n/a Phone: n/a

Number Of Employees In The Organization At All Locations: please check (✓) one

Less Than 15 15 – 100 101 – 200 201 – 500 More 500

3. Your Employment Data (Complete as many items as you can)

Date Hired: 8/6/2006 Job Title At Hire: TEACHER'S III  
 Pay Rate When Hired: \$36,000+ Last or Current Pay Rate: \$34,000+  
 Job Title at Time of Alleged Discrimination: TEACHER'S III  
 Name and Title of Immediate Supervisor: MILAFLOR QUITUGUA  
 IF Applicant, Date You Applied for Job n/a Job Title Applied For n/a

4. What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you are over the age of 40 and feel you were treated worse than younger employees or you have other evidence of discrimination, you should check (✓) AGE. If you feel that you were treated worse than those not of your race or you have other evidence of discrimination, you should check (✓) RACE. If you feel the adverse treatment was due to multiple reasons, such as your sex, religion and national origin, you should check all three. If you complained about discrimination, participated in someone else's complaint or if you filed a charge of discrimination and a negative action was threatened or taken, you should check (✓) RETALIATION.

Race  Sex  Age  Disability  National Origin  Color  Religion  Retaliation  Pregnancy

Other reason (basis) for discrimination (Explain). \_\_\_\_\_

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, action(s) and include the name(s) and title(s) of the persons who you believe discriminated against you. (Example: 10/02/06 – Written Warning from Supervisor, Mr. John Soto)

A) Date: 6/11/2007 Action: "MEMORANDUM OF REPRIMAND", MS. MILAFLOR QUITUGUA & CHRISTOPHER ANDERSON (given without principal's signature)

Name and Title of Person(s) Responsible: pls. see attached

B) Date: \_\_\_\_\_ Action: \_\_\_\_\_

Name and Title of Person(s) Responsible \_\_\_\_\_

Describe any other actions you believe were discriminatory.

pls. see attached

(Attach additional pages if needed to complete your response.)

Ironically, a certificate of appreciation & commendation was also given that same day (also attached).

## 6. What reason(s) were given to you for the acts you consider discriminatory? By whom? Title?

My termination was unlawful and unjustifiable and I was directed years ago (previously told before this incident occurred) to report to your commission by the Guad. Dept. of Labor. This past year I underwent a highly stressful year and implore the EEOC's aid.

## 7. Name and describe others who were in the same situation as you. Explain any similar or different treatment.

Who was treated worse, who was treated better, and who was treated the same? Provide race, sex, age, national origin, religion, and/or disability status of comparator if known and if connected with your claim of discrimination. Add additional sheets if needed.

Full Name Job Title Description

1. n/a

2. \_\_\_\_\_

3. \_\_\_\_\_

**Answer questions 8-10 only if you are claiming discrimination based on disability. If not, skip to question 11.**

8. Please check all that apply:  Yes, I have an actual disability I have had an actual disability in the past No disability but the organization treats me as if I am disabled9. If you are alleging discrimination because of your disability, what is the name of your disability? How does your disability affect your daily life or work activities, e.g., what does your disability prevents or limits you from doing, if anything? (Example: lifting, sleeping normally, breathing normally, pulling, walking, climbing, caring for yourself, working, etc.).

n/a  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## 10. Did you ask your employer for any assistance or change in working condition because of your disability?

YES  NO 

Did you need this assistance or change in working condition in order to do your job?

YES  NO 

If "YES", when? n/a To whom did you make the request? Provide full name of person n/a How did you ask (verbally or in writing)? n/a

Describe the assistance or change in working condition requested?

n/a  
 \_\_\_\_\_  
 \_\_\_\_\_

## 11. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and indicate what they will say. Add additional pages if necessary.

## NAME JOB TITLE ADDRESS &amp; PHONE NUMBER

A. SAMMY LADRIDO/TEACHER/ORDOT, GUAM / (671) 472-1457

## NAME JOB TITLE ADDRESS &amp; PHONE NUMBER

B. LINDA & MADISON BURKHARDT/TEACHERS/ORDOT, GU / (671) 472-1167

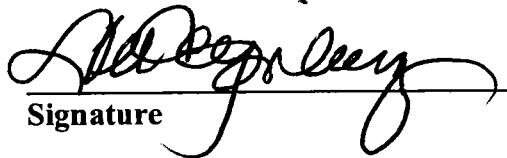
## NAME JOB TITLE ADDRESS &amp; PHONE NUMBER

C. CHAUNCEY CALVO/STUDENT/ORDOT, GUAM / (671) 472-6293D. BETH PEREZ/PRINCIPAL/DEDEDO, GUAM / (671) 632-5647/955712. Have you filed a charge previously in this matter with EEOC or another agency? YES  NO 

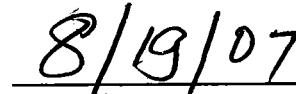
13. If you have filed a complaint with another agency, provide name of agency and date of filing:

n/a

14. Have you sought help about this situation from a union, an attorney, or any other source?

YES  NO  - If yes, from whom and when? Provide name of organization, name of person you spoke with and date of contact. Results, if any?n/a


Signature



Today's Date

If you have not heard from an EEOC office within 30 days of mailing this form, please call toll-free number shown on the letter accompanying this form. Provide the tracking number at the top of page 1 of this form. Please make a copy of this form for your records before mailing.

**PRIVACY ACT STATEMENT:** This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Intake Questionnaire (10/2006).

2. **AUTHORITY.** 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626. 42 U.S.C. 12117(a)

3. **PRINCIPAL PURPOSE.** The purpose of this questionnaire is to solicit information in an acceptable form consistent with statutory requirements to enable the Commission to act on matters within its jurisdiction. When this form constitutes the only timely written statement of allegations of employment discrimination, the Commission will, consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(b), consider it to be a sufficient charge of discrimination under the relevant statute(s).

4. **ROUTINE USES.** Information provided on this form will be used by Commission employees to determine the existence of facts relevant to a decision as to whether the Commission has jurisdiction over allegations of employment discrimination and to provide such charge filing counseling as is appropriate. Information provided on this form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. Information may also be disclosed to respondents in connection with litigation.

5. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION.** The providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge of discrimination. It is not mandatory that this form be used to provide the requested information.

· (EVENTS DEEMED DISCRIMINATORY)

B) ca. May-June 2007: My middle school principal, Christopher Anderson, advises me to apply to another middle school, namely Benavente Middle School because he is concerned with "my success." I act accordingly and apply to Benavente Middle School. After several days, I receive a phone call from the principal of Benavente, Beth Perez and she happily delivers me the news that I will be employed at her school for the upcoming school year. Days later, I receive the letter of termination from the EPSS Superintendent stating that I was fired on the recommendation of the same principal, who days earlier voiced out that he was out for my success and pushed me to further said success at Benavente Middle School.

C) My immediate supervisor, Milaflor Quituqua, fails to give me my final evaluation/observation paper. She gave all my other colleagues theirs' and despite many attempts at coming to her office or phoning her she refuses to communicate with me up to the present day.

D) Aug. 6, 2007: Sammy Ladrido tells me that for the past 2006-2007 school year at Angeda Johnston Middle School, during faculty meetings, Milaflor Quituqua would boastfully and ~~repeatedly~~ let the teachers know her intention of having me terminated.

156 Dama de Noche Lane  
Latte Heights  
Mangilao, GU 96923  
October 15, 1998

TO: Ulric Mark, Acting Principal  
Untalan Middle School

FROM: Leodegario Capulong

SUBJECT: Request for Accurate Documents/Proof of Misconduct

I earnestly express myself that I do not deserve to be terminated from my teaching job due to misconduct. It is injustice on my part because I was not given any chance to know the accurate and specific grounds of my termination.

As a legal citizen of the United States of America, I feel that I am denied "Free Speech, First Amendment of the Constitution." The incident that occurred on Friday, October, 2, 1998, should not be a personal concern.

I can not believe myself to be terminated because I have been a teacher at Untalan Middle School that focused student learning which was evidently shown in my perfect attendance since school year 1997 through October 2, 1998. I was always punctual to work, attended all faculty meetings, and workshops even beyond my duty hours. I adhered to all the commands and requests of your administration. I did all that you told me to do for the sake of the school.

During my stay at Untalan Middle School, I contributed to the good name and school pride of Untalan when I put up a show of the Micronesian (LOTE) students' talents to participate in the Showcase of Excellence at the Micronesia Mall in Spring 1998. This was the "Partnership in Education" with Price Elementary and GWHS. Dr. Jose Q. Cruz, the chairman of this Partnership program, several teachers, staff, students and you witnessed this Excellence showcase which was later known by the people of Guam through the Pacific Daily News release. The group picture of my students' performance was shown in the newspaper. This became one factor that attracted parents to enroll their children at UMS and that was one of the years that the school was claimed to be one of the best middle schools.

In August 1998 through October 2, 1998, I coordinated with other teachers to put up a "Cultura Magnifica" of students that can substitute the Cultural Arts classes of Mr. Benjie Santiago, who transferred to GW high school. This is an extra curricular activity that had required me to spend extra time for my LOTE students.

On Monday morning, October 5, 1998, you ordered me to report to D.O.E. central office until October 14, 1998. I became physically and mentally stressed and I felt that I was on exile there without your explanation at all. Then I was just terminated.

I ask from you to show me a proof of justice because I never believed that I deserved to be terminated. Thank you.

Sincerely yours,

Case 1:10-cv-00005 Document 1 Filed 03/30/10 Page 45 of 72



156 Dama de Noche Lane  
Latte Heights  
Mangilao, GU 96923  
October 15, 1998

TO: Wilfreda Y. Martinez  
Assistant Principal  
Curriculum, Attendance and Discipline  
Untalan Middle School

FROM: Leodegario Capulong

SUBJECT: Request for student statements concerning student discipline incident, Room 32, October 2, 1998

I humbly request your good office to please ask the LOTE students of Untalan Middle School for their accurate statements concerning the student discipline problems that occurred between 1:30 p.m. -- 1:51 p.m. in room 32, 5th period on Friday, October 2, 1998. This incident involved Julmar Golveo, a LOTE student in my class from August 3, 1998 through October 2, 1998.

I strongly feel and believe that my termination from my teaching job was not based on truth. I was not given the right of Free Speech, First Amendment of the Constitution. I remain, looking forward for justice.

Thank you for your prompt attention in this matter.

Sincerely yours,

  
Leodegario Capulong

L.P. Untalan Middle School  
256 Route Ten  
Barrigada, Guam 96921

October 20, 1998

TO WHOM IT MAY CONCERN:

Based on my observations and findings (see attached), Mr. Leo Capulong has been a very good teacher of LOTE students. He focused on student learning and cared for his students. The students favored him as one of their very good teachers.

Pertaining to student discipline problems that occurred on October 2, 1998, in his fifth period, Room 32, Mr. Capulong did not do anything wrong to his student, Julmar Golveo. The incident could be promptly and rightfully solved by an administrator at the school level as fair as it could be possible.

Additionally, much worse and more difficult student discipline problems than the incident mentioned above had been handled and solved in my office since September 1996 until now. The solutions that I exercised had been a great advocate to both teachers and students including parents and had improved the teaching and learning process in the classroom.

In my conclusion, I have known the teachers of Untalan Middle School to be very good ever since 1988, and one of them is Mr. Leo Capulong, a teacher since 1997-1998.

Sincerely yours,

  
Wilfreda Y. Martinez  
Assistant Principal, Curriculum, Attendance and  
Discipline

## NOTIFICATION OF PERSONNEL ACTION

ED:25895-98

(1) NAME (Mr.-Miss-Mrs.-One Given Name, Initial(s), and Surname)		2. DATE OF BIRTH	3. SOCIAL SECURITY NO.	4. DATE	
MR. LEODEGARIO M. CAPULONG		11-30-47	552-63-3565	08-07-98	
THIS IS TO NOTIFY YOU OF THE FOLLOWING ACTION AFFECTING YOUR EMPLOYMENT:					
(5) NATURE OF ACTION (Use Standard Terminology)		6. LEGAL AUTHORITY	(7) EFFECTIVE DATE		
A. LIMITED TERM APPOINTMENT B. TERMINATION (Full-Time Employee)		Public Law 22-42	A. 08-03-98 B. 05-20-99 COB		
FROM		TO			
E. Teacher I-C (03420C)  Grade I-3, \$24,062.00 P/A  DEPARTMENT OF EDUCATION  PUBLIC SCHOOLS  Untalan Middle (4035)  11.8.40.35.10.0111.0000		(8) POSITION TITLE  (9) PAY RANGE AND SALARY  10. DEPARTMENT OR AGENCY  11. DIVISION  (12) SECTION  13. ALLOTMENT NO.	A. Teacher I-C (03420C)  Grade I-3, \$24,062.00 P/A  DEPARTMENT OF EDUCATION  PUBLIC SCHOOLS  Untalan Middle (4035)  11.8.40.35.10.0111.0000		
(14) BUDGET POSITION NO. FROM: TO:		15. POSITION CLASSIFICATION ACTION VICE ( <input checked="" type="checkbox"/> ) <del>DATA ENTRY</del> <input checked="" type="checkbox"/> NEW ( <input type="checkbox"/> ) 000031725	(16) RETIREMENT X=YES; N=NO SS	(17) LIFE INS. Y=YES; N=NO CAT	(18) HEALTH INS. Y=YES; N=NO CAT
(19) TYPE OF CERTIFICATE/EXP. DATE		(20) BASIS OF CLASSIFICATION	(21) RESIDENT STATUS	(22) NEW EMPLOYEE ( ) CONTINUING ( )	
23. REMARKS: THIS ACTION IS SUBJECT TO ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AND IS SUBJECT TO POST AUDIT BY THE CIVIL SERVICE COMMISSION.					PERMANENT POSITION.  Subject to satisfactory medical examination.  This action serves as an emergency certification for the position assigned and duration employed. All emergency "LIMITED TERM APPOINTMENTS" are subject to termination or replacement at any time at the discretion of the Department of Education.  Subject employee is entitled for reinstatement of all sick leave accumulated and not used as of date of last separation, Pursuant to 4 GCA, Section 4108.
25. Certified Funds Available Amount \$ 24,062.00 P/A					26. APPOINTING AUTHORITY OR DESIGNEE ROLAND E.G. TAIMANGLO, Director of Education tct
24. Associate Supt. Personnel Ser.		By: <u>Everlie A. Perez</u> For Certifying Officer Department of Education	26. APPOINTING AUTHORITY OR DESIGNEE ROLAND E.G. TAIMANGLO, Director of Education tct		



# DEPARTMENT OF EDUCATION

P.O. Box DE  
Agana, Guam 96932  
Tel: (671) 475-0457  
Fax: (671) 472-5003



*Roland L.G. Taimanglo*  
Director of Education

October 9, 1998

*Aline A. Yamashita, Ed. D.*  
Deputy Director of Education

## MEMORANDUM

To: Leodegario M. Capulong  
From: Director of Education

### NOTICE OF TERMINATION DURING LIMITED TERM APPOINTMENT

Dear Mr. Capulong:

In accordance with Board Policy 906.15, this is to notify you that you will be terminated during your limited term appointment from your present position as a Teacher. This termination is based on the fact that a report was received of an alleged incident of your inappropriate conduct on Friday, October 2, 1998 at Untalan Middle School.

In view of the foregoing, I find that your termination during your limited term appointment is warranted in order to promote the efficiency of government service. The effective date of your termination is Thursday, October 15, 1998.

Sincerely,

ROLAND L.G. TAIMANGLO

cc: Administrator, Personnel Services Division  
Principal, Untalan Middle School



To Mr. Roland Tai, now go  
Director of Education  
Dept. of Education,

QÜEST, 1998

Sir, This is to inform  
you that effective this 15th of  
October, 1998, I am tendering  
my resignation to pursue  
my graduate studies course  
sincerely,

Sincerely,

Ledegard N. Dávila

was advised to date this letter of resignation - Oct. 5, 1998 though the termination letter is dated Oct. 9/98 Effective termination dated October 15, 1998

**NOTIFICATION OF PERSONNEL ACTION**

RECEIVED  
ON 11.11.1998  
GOVERNMENT OF INDIA

GOVERNMENT OF GUAM

1844.

AGANA  
**DEPARTMENT OF EDUCATION**

ED: 25103-99#1

— 10 —

NOV 09 1964

**PAYROLL NUMBER**

552-63-3565

This action ( ) corrects  
dated 10/16/98

XX) conceals in its entirety ( )  
DEPT. of EDUCATION  
in the case of above named employee  
BUSINESS OFFICE

11.9.40.35.10.0111.0000

**PAYROLL NUMBER**

This action (  ) corrects (  ) cancels in its entirety (  ) amends  
dated 10/16/98 DEPT. of EDUCATION (Amends (Amends (LTFT APPT., Eff. 08/03/98))  
in the case of above named employee as follows:  
BUSINESS OFFICE

~~Cancels in its entirety.~~

## CERTIFIED STAFF AVAILABLE

ROLAND L. G. TAIMANGLO, Director of Education

DATE

Dictionary: Blue - Employee; Blue - Payroll; Pink - File; Green - Budget; Gold - Civil Service Commission; Yellow - Business Office; White - Retirement

156 Dama de Noche Lane  
Latte Heights  
Mangilao, GU 96923  
October 15, 1998

TO: Wilfreda Y. Martinez  
Assistant Principal  
Curriculum, Attendance and Discipline  
Untalan Middle School

FROM: Leodegario Capulong

SUBJECT: Request for student statements concerning student discipline incident, Room 32, October 2, 1998

I humbly request your good office to please ask the LOTE students of Untalan Middle School for their accurate statements concerning the student discipline problems that occurred between 1:30 p.m. -- 1:51 p.m. in room 32, 5th period on Friday, October 2, 1998. This incident involved Julmar Golveo, a LOTE student in my class from August 3, 1998 through October 2, 1998.

I strongly feel and believe that my termination from my teaching job was not based on truth. I was not given the right of Free Speech, First Amendment of the Constitution. I remain, looking forward for justice.

Thank you for your prompt attention in this matter.

Sincerely yours,

*Leodegario Capulong*  
Leodegario Capulong

L.P. Untalan Middle School  
256 Route Ten  
Barrigada, Guam 96921

October 20, 1998

TO WHOM IT MAY CONCERN:

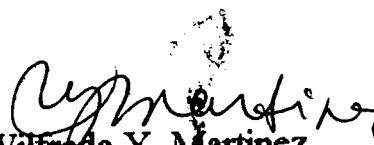
Based on my observations and findings (see attached), Mr. Leo Capulong has been a very good teacher of LOTE students. He focused on student learning and cared for his students. The students favored him as one of their very good teachers.

Pertaining to student discipline problems that occurred on October 2, 1998, in his fifth period, Room 32, Mr. Capulong did not do anything wrong to his student, Julmar Golveo. The incident could be promptly and rightfully solved by an administrator at the school level as fair as it could be possible.

Additionally, much worse and more difficult student discipline problems than the incident mentioned above had been handled and solved in my office since September 1996 until now. The solutions that I exercised had been a great advocate to both teachers and students including parents and had improved the teaching and learning process in the classroom.

In my conclusion, I have known the teachers of Untalan Middle School to be very good ever since 1988, and one of them is Mr. Leo Capulong, a teacher since 1997-1998.

Sincerely yours,

  
Wilfreda Y. Martinez  
Assistant Principal, Curriculum, Attendance and  
Discipline

**FEBRUARY 5, 1999**

**TO WHOM IT MAY CONCERN:**

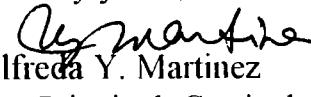
This is to certify that Mr. Leodegario Capulong, naturalized U.S. citizen with Social Security No. 552-63-3565, had been employed as a teacher at Luis P. Untalan Middle School in March 1998 through October 2, 1998.

Based on my observations, Mr. Capulong had been a very good teacher in LOTE, 6th, 7th, 8th grade level. Beyond his duties, roles, and responsibilities as a classroom teacher, he had contributed much to promote school pride and spirit especially during off campus school activities. He created a mini-show correlated to Reading and Drama for his students to perform in April 1998 at the Micronesia Mall. This was in conjunction with the Partnership for Education program of some other schools on the island.

He was a limited term teacher, however, he sincerely developed not only the academic skills and potentials of his students but also self-esteem and belongingness to the school. He served as an advocate to the young adolescents' physical, intellectual and socio-emotional growth and development.

This certification was issued for any legal purpose it may serve.

Sincerely yours,

  
Wilfreda Y. Martinez  
Vice-Principal, Curriculum  
and Attendance



# UNIVERSITY OF GUAM

## UNIBETSEDÅT GUAHAN

### College of Education

UOG Station, Mangilao, Guam 96923  
Tel: (671) 735-2440 • Fax: (671) 734-3651

May 23, 2002

To Whom It May Concern,

Mr. Leo Capulong has asked that I write a letter of recommendation on his behalf.

I have known Mr. Capulong for about ten years. Our association has been two-fold. One, as the brother of a sister who was a caregiver of my sons. The other, as a deputy director of the Department of Education of which he was a teacher.

As a father, Mr. Capulong has succeeded in raising a family to be proud of. His children's accomplishments are known and celebrated. His children are involved in school and community activities. They are respectful, happy and bright. Such outcomes result from family guidance and support. Mr. Capulong and his wife are succeeding in being good parents. That says a great deal about personal traits and values.

As a professional educator, Mr. Capulong has had his challenges. As Leo faces the every day challenges of working with diverse students, he has continued to try to better his skills. He has continued to complete course work needed to help him become an effective and caring teacher. Still, he has had difficulties.

It seems that Mr. Capulong may be beneficial in a position that helps a school community understand cultural diversity. He would be able to help teachers and staff become aware of values and beliefs attached to children of families not raised in typical Western society. He may be capable of helping families feel more welcomed in the school setting. He may be capable of helping students understand the expectations set by school settings. He could be the needed bridge between families and schools to effectuate successful schooling.

Mr. Capulong could succeed if he had close coaching and guidance. With feedback, I think Leo could help a school community reach those families who are hesitant and, perhaps, fearful. His unassuming attitude, sincere concern, and determination to succeed could help students realize their potential. He could be that needed role model for some of our students who want to succeed but need extra guidance and support.

Thank you.

Sincerely,

ALINE A. YAMASHITA, Ph.D.

**Santa Barbara School**  
274 A West Santa Barbara Avenue  
Dededo, Guam 96912

---

February 27, 1997

**CERTIFICATION**

This is to certify that Mr. Leodegario M. Capulong taught at Santa Barbara School during the schoolyear 1991-1992. He taught Language Arts, Reading, and Elementary Journalism.

Mr. Capulong was a very good teacher, well-loved by his students and had a very good rapport with his colleagues. He could be an asset to any institution he would serve.

  
Mrs. Sofia S. Viray  
Vice-Principal  
Santa Barbara School

Date: 2/27/97

**COPY**  
**received**

**Guam Seventh-day Adventist Clinic**

• 388 Ypao Road, Tamuning, GU 96911

Ph: (671) 646-8881-5 Fax: (671) 646-5514

February 25, 2003

Hugo A. Leon, MD  
Guam SDA Clinic  
388 Ypao Rd.  
Tamuning, GU 96911

Leodegario Capulong  
135 Orchid Lane, Latte Heights  
Mangilao, GU 96913

To Whom It May Concern:

Mr. Capulong is a 55 year-old male who has been under our care since May of 2000 when he received a injury to his neck and upper body at JFK High School. At that time, he was a teacher and was attacked by a student. From that time until February of 2003, he has been disabled from his job as a teacher due to chronic pain and numbness in his cervical spine and his thoracic spine. He has also suffered from anxiety and depression due to this traumatic incident. He is undergoing treatments by Guam SDA Clinic and by Dr. Carlos of neurology. He has also seen Dr. Joann Gill in the past for his anxiety and depression.

If I can help you answer any questions, please feel free to contact me at 646-8881 at any time. Thank you very much.

Sincerely,

*Hugo A. Leon MD*

**Hugo A. Leon, MD/mcr**

**Family Practice**

**Guam SDA Clinic**

**John F. Kennedy High School**  
**Teacher Evaluation Rating Form**

Teacher: Mr. Leo Capulong  
 Pitlik

Supervisor: Agnes L.

Evaluation	Standard	Comments
O AA (S) U NO	1 - Develops and prioritizes long and short term objectives within curriculum guidelines (identifying skills and knowledge, planning instruction, lesson plans, and appropriate eval.	Instructor submitted syllabus and lesson plan
O AA S U NO	2 - Evaluates, selects and modifies resources and activities in light of students' gender, cultural, and linguistic background (cultural / gender biases, matching the objectives).	
O AA S U NO	3 - Establishes a common "footing" of understanding and participation with students (clear opening statements, main concepts, expected student participation).	
O AA S U NO	4 - Teaches the lesson (teaching and learning styles, expected student participation.)	
O AA S U NO	5 - Provides guided practice (group practice, learning appropriate to content and ability, individual assistance, mastery of objectives).	
O AA S (U) NO	6 - Provides opportunities for cooperative learning (group work, balancing individual with group assignments).	Students were assigned into groups to complete assignment.
O AA S U NO	7 - Monitors classroom instruction (learning styles of cultural groups, student responses, providing feedback).	
O AA S U NO	8 - Uses appropriate strategy(ies) to close a lesson: (restating objectives, summarizing questions, overview of concepts, student summarization, future lesson).	
O AA S U NO	9 - Provides a variety of evaluation strategies that measure progress toward objective(s) (perception checks, opportunities for students to measure progress).	
O AA S U NO	10 - Provides summative evaluation that measures student achievement (maintain evaluation records, communicate evaluation results to student).	

*feeli's del  
4/25/10*

Evaluation	Standard	Comments
O AA S U NO	11 - Organizes the learning environment to maximize student performance (cultural backgrounds, smooth transitions, orderly housekeeping).	Instructor has provided assistance in promoting cultural activities within the school throughout the duration of the school year.
O AA S U NO	12 - Effectively orchestrates appropriate student behavior (defines and communicates classroom behavior, appropriate feedback, dealing with inappropriate behavior).	
O AA S U NO	13 - Helps learners develop a positive self concept (behavior expectations, participations involving all students, diverse opinions, warmth, friendliness, and enthusiasm).	
O AA S U NO	14 - Effectively uses metacommunication to enhance student learning (use of classroom space, unspoken language, voice patterns in classroom).	
O AA S U NO	15 - Establishes boundaries of relevance and nature of student's involvement and relationships in the classroom (turn taking, humor, reasonable behavior, speaking terms).	
O AA S U NO	16 - Effectively uses language to constitute positive classroom relationships (gender balance in calling students, in evaluation, in giving reinforcements)	
O AA S U NO	17 - Uses classroom participation patterns that are culturally specific, not based on stereotypical thinking (students, performance, authority of teacher, interacting with students).	

O = Outstanding, AA = Above Average, S = Satisfactory,

U = Unsatisfactory, NO = Not Observed

A "U" rating must have a comment, an "O" rating may have a comment

This is to certify that we have read and discussed the above report.

LLegellay 3/9/00  
Teacher's Signature Date

Patin 3/9/00  
Supervisor's Signature Date

Comments I. School Involvement for SY 1999-2000: Instructor is currently a focus group member for a committee that addresses accreditation; Instructor is an advisor for the FSM student organization on campus

II. Community Involvement for SY 1999-2000:

III. Professional Development for SY 1999-2000:

IV. Formal Observation Comendations: Instructor is empathetic towards his students; Instructor is open to new ideas; Instructor strives amongst his students to assist them

V. Formal Observation Recommendations: Instructor must incorporate JFK's ESLRs into course syllabus and lesson plans; Instructor must be clear in providing instructions for cooperative learning groups; Instructor must gauge "all" student attention when providing instruction; Instructor must be more cognizant of off-task behavior; For early in the school year, instructor needs to work with fellow colleagues to develop appropriate strategies in addressing disciplinary issues in the classroom; For next school year, instructor needs to develop goals that are connected with Standard 12 and Standard 4

Received 4/25/00

109

## PROFESSIONAL TEACHER EVALUATION PROGRAM

### Informal (Drop-In) Observation Form

Name of Teacher: Sis Capulay Date/Time: 11/15/99 (4:05 - 7:30)  
Subject being taught: Language Arts

Observer: Agua Lagon-Lutik

Comments: Comments: Instructor utilized real-life experiences in explaining the new vocabulary words.  
Recommendations: Instructor needs to gain all students' attention (when providing instructions, several students were observed working on other projects); attendance taken ??? Yes, Openly

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

FEPA  
 EEOC

486-2009-00344

## Guam Department of Labor

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Leodegario M. Capulong

Home Phone (Incl. Area Code)

(671) 646-2717

Date of Birth

11-30-1947

Street Address

City, State and ZIP Code

110 Estralita St., Tamuning, GU 96913

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

GUAM PUBLIC SCHOOL SYSTEM

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(671) 475-0457

Street Address

City, State and ZIP Code

P.O. Box De, Hagatna, GU 96932

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

RACE    COLOR    SEX    RELIGION    NATIONAL ORIGIN  
 RETALIATION    AGE    DISABILITY    OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

01-23-2009

01-23-2009

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was hired by the above-named employer in 1997. My last job title was Teacher III-Professional Educator (Social Studies).

In November 2007, I filed an EEOC national origin discrimination charge against Respondent. On or about January 29, 2008, Respondent and I entered in to a settlement agreement to resolve my charge. However, I do not believe Respondent has complied with conditions of the Agreement.

In October 2008, I was assigned to work at Untalan Middle School. I'm certified to teach Social Studies classes, but Respondent assigned to teach Special Education, ESL and Shelter classes which I am not qualified to teach. In November 2008, I was subjected to extreme verbal abuse by students and requested assistance from the school administration to address the issue. However, Respondent removed from the teaching assignment and placed me on administrative teaching leave. Further, I was assigned to work at another location to perform clerical work. On or about January 23, 2009, Respondent discharged me.

I believe that I have been subjected to retaliation because of my national origin (Filipino) and for previously filing an EEOC charge of discrimination in violation of Title VII of the Civil Rights of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Date

Charging Party Signature

## GOVERNMENT OF GUAM

## DEPARTMENT OF EDUCATION

## NOTIFICATION OF PERSONNEL ACTION

ED: 25669-99

① NAME (Mr.-Miss-Mrs.-One Given Name, Initial(s), and Surname) <b>Leodegario M. Capulong</b>	2. DATE OF BIRTH <b>11/30/47</b>	③ SOCIAL SECURITY NO. <b>552-63-3565</b>	4. DATE <b>08/19/99</b>
---	-------------------------------------	---	----------------------------

THIS IS TO NOTIFY YOU OF THE FOLLOWING ACTION AFFECTING YOUR EMPLOYMENT:

⑤ NATURE OF ACTION (Use Standard Terminology) <b>PROBATIONAL APPOINTMENT Full-Time Employee</b>	6. LEGAL AUTHORITY <b>Public Law 25-03</b>	⑦ EFFECTIVE DATE <b>08/24/99</b>
--	---	-------------------------------------

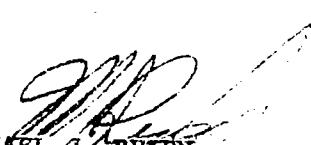
FROM	TO
	⑧ POSITION TITLE <b>Teacher III (03422)</b>
	⑨ PAY RANGE AND SALARY <b>Grade L-4, \$31,493.00 P/A</b>
	10. DEPARTMENT OR AGENCY <b>DEPARTMENT OF EDUCATION</b>
	11. DIVISION <b>PUBLIC SCHOOLS</b>
	12. SECTION <b>J.P.K. HIGH (4042)</b>
	13. ALLOTMENT NO. <b>11.9.40.42.10.0111.0000</b>

⑭ BUDGET POSITION NO. FROM: TO:	15. POSITION CLASSIFICATION ACTION VICE ( ) NEW ( <input checked="" type="checkbox"/> ) NEW POSITION	⑯ RETIREMENT Y = YES <input checked="" type="checkbox"/> <input type="checkbox"/> DC	⑰ LIFE INS. Y = YES; N = NO <input checked="" type="checkbox"/> <input type="checkbox"/> CAT _____	⑯ HEALTH INS. Y = YES; N = NO <input checked="" type="checkbox"/> <input type="checkbox"/> NONE CAT _____
⑯ TYPE OF CERTIFICATE/EXP. DATE	⑳ BASIS OF CLASSIFICATION	㉑ RESIDENT STATUS	㉒ NEW EMPLOYEE ( ) CONTINUING ( )	

23. REMARKS: THIS ACTION IS SUBJECT TO ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AND IS SUBJECT TO POST AUDIT BY THE CIVIL SERVICE COMMISSION.

Permanent Position

Subject to satisfactory medical examination.

25. Certified Funds Available  
Amount \$ 31,493.00 P/ADE-1 Certified Funds Available  
By: VICTORIA C. QUENGA  
For Certifying Officer  
Department of Education
  
 MICHAEL J. REIDY  
 Director of Education, Acting lmf  
 26. APPOINTING AUTHORITY OR  
 DESIGNEE

 LUIS S.N. REYES  
 24. Associate Supt.  
 Personnel Ser.  
*11/14/09*

GOVERNMENT OF GUAM  
DEPARTMENT OF EDUCATION  
**NOTIFICATION OF PERSONNEL ACTION**

ED: 6358-2000

(1) NAME (Mr.-Miss-Mrs.-One Given Name, Initial(s), and Surname)	2. DATE OF BIRTH	(3) SOCIAL SECURITY NO.	4. DATE
Leodegaro M. Capulong	11/30/47	552-63-3565	06/20/2000

THIS IS TO NOTIFY YOU OF THE FOLLOWING ACTION AFFECTING YOUR EMPLOYMENT:

(5) NATURE OF ACTION (Use Standard Terminology) <b>TERMINATION</b> Full-Time Employee	6. LEGAL AUTHORITY Public Law 25-03	(7) EFFECTIVE DATE 06/23/2000 COB
---	--	--------------------------------------

FROM		TO
Teacher III (03422)	(8) POSITION TITLE	
Grade L-4, \$31,493.00 P/A	(9) PAY RANGE AND SALARY	
DEPARTMENT OF EDUCATION	10. DEPARTMENT OR AGENCY	DEPARTMENT OF EDUCATION
PUBLIC SCHOOLS	11. DIVISION	PUBLIC SCHOOLS
J.F.K. HIGH (4042)	(12) SECTION	
11.0.40.42.10.0111.0000	13. ALLOTMENT NO.	

(14) BUDGET POSITION NO. FROM:	15. POSITION CLASSIFICATION ACTION VICE ( ) NEW ( )	(16) RETIREMENT Y = YES; N = NO	(17) LIFE INS. Y = YES; N = NO CAT	(18) HEALTH INS. Y = YES; N = NO CAT
TO:				
(19) TYPE OF CERTIFICATE/EXP. DATE	(20) BASIS OF CLASSIFICATION	(21) RESIDENT STATUS	(22) NEW EMPLOYEE ( ) CONTINUING ( )	

23. REMARKS: THIS ACTION IS SUBJECT TO ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AND IS SUBJECT TO POST AUDIT BY THE CIVIL SERVICE COMMISSION.

Pursuant to Section 904.900 of the Department of Education, Personnel Rules and Regulations.

25. Certified Funds Available  
Amount \$ \_\_\_\_\_

LUIS S.N. REYES

24. Associate Supt.  
Personnel Ser.

By: "NOT APPLICABLE"

For Certifying Officer  
Department of Education

ROSlE R. TAINATONGO  
Director of Education

26. APPOINTING AUTHORITY OR  
DESIGNEE

**LEO M. CAPULONG  
135 Orchid Lane Latte Hts.  
Mangilao, Guam 96913  
Tel # 632-7717**

**November 23, 2005**

**Mr. Juan Flores,  
Superintendent of Education  
Guam Public School System**

**Dear Mr. Flores,**

**Greetings to you!**

**Please let me start my letter congratulating you for all the success that the Guam Public School System have achieved and accomplished since you came and govern as Superintendent. May all your plans and goals be met leading to the success not only of all the school staffs but also producing dependable, hardworking and reliable good citizenship in our Island of Guam.**

**Sir, as a well trained and experienced teacher, I'd like to express my desire to go back and teach in our school system. I want to continue all my plans to share, out reach, and help building the morale and high self-esteem to our students, producing good, responsible and dependable citizens of the future. I know that what I had accomplished from our university here in Guam including all the workshops, in-service trainings and staff developments in our school, nourished and enhanced my teaching profession not only in my field but also in promoting and developing social, cultural and diversity to our students.**

**With all sincerity, I am now knocking at the door of your heart, to please help me. I'm asking for your kind hearted consideration. I know and I'm positive that with all your guidance and good counseling, I can achieve my goals. I shall do with all my strength to apply everything that is necessary to become the teacher that you expect of me. Thank you! And God Bless!**

**Respectfully,**

  
Leo M. Capulong

*Claire K. Ashe, M.D.*

*Joan H. Gill, M.D.*

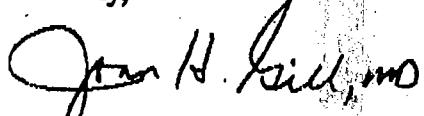
## *Marianas Clinic*

24 Oct '00

**Worker's Compensation Commission**  
Attn: Manny  
P.O. Box 9970  
Tamuning, Guam 96931

Mr. Leo Capulong was unable to work any job from June-August, 2000 due to his emotional trauma from the assault sustained while working as a teacher.

Sincerely,



Joan H. Gill, M.D.  
Clinical Director, Marianas Clinic

**199 Chalan San Antonio, Suite 375, Tamuning, Guam 96911  
Telephone No. (671) 646-7972, Fax (671) 647-7972**

March 16, 2006

Workmen's Compensation  
Agana, Guam

Leodegario Capulong  
135 Orchid Lane, Latte Heights  
Mangilao, GU 96913

To Whom It May Concern:

Mr. Capulong is a 58 year-old male who has been under our care since May of 2000 when he received an injury to his neck, back, and upper body at JFK High School. At that time, he was a teacher and was attacked by a student. From that time until now he has been disabled from his job as a teacher due to chronic pain and numbness in his cervical spine, thoracic spine, and lumbar spine. He has also suffered from anxiety and depression due to this traumatic incident. He has undergone treatment by Guam SDA Clinic and by Dr. Carlos of neurology. He has also seen Dr. Joann Gill in the past for his anxiety and depression.

If I can help you answer any questions, please feel free to contact me at 646-8881 at any time. Thank you for your kind consideration.

Sincerely,  
Hugo A. Leon, MD  
Family Practice  
Guam SDA Clinic



# SIGNED BY HUGO A LEON (HLA) 03/16/2006 03:07PM

HUGO A. LEON, M.D.  
GUAM SDA CLINIC  
388 YPAO ROAD  
TAMJUAN, GUAM 96913

200-1673

BETTY-ANN BURNS, Ph.D.

*Licensed Individual, Marriage & Family Therapist*

P.O. Box 5157, UOG Station

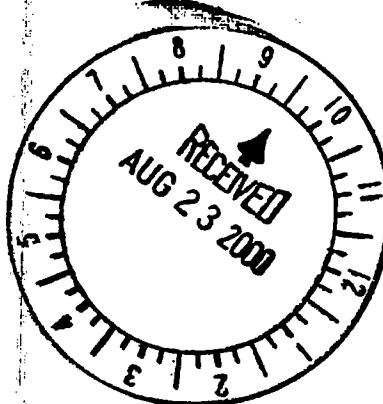
Mangilao, GU 96923

Telephone: (671) 734-1292

Fax: (671) 734-1291

August 20, 2000

Anita Santos  
Worker's Compensation Commission  
108 'E' Street  
Tiyan, Guam 96913



RE: Leodegario M. Capulong

DATE OF INJURY: 5/1/00

CLAIM NUMBER: 552633565

Enclosed please find the medical report and the billing for the following visit: 8/16/00

Current Treatment

At the request of Dr. Sung Jin Kim, I saw Leodegario Capulong, a 52- year old Filipino male, as a result of a series of hostile and aggressive incidents involving students toward Mr. Capulong occurring at the John F. Kennedy High School. These incidents began in February, 2000, and continued from March until May, 2000. According to Mr. Capulong, who was hired as "a certified teacher," at JFK this past year, " my discipline doesn't work on Guam." He states the students are violent, abusive, hostile, and aggressive, exhibiting no respect for authority. Following the last incident, on May 1, 2000, where Mr. Capulong was attacked by student Duane Aldan with a fly-kick to the chest, Mr. Capulong took sick leave to recover from his injuries.

Mr. Capulong continues to suffer from a high degree of anxiety, unable to sleep through the night, as well as considerable physical pain from his shoulder, arm and neck. He reports being fearful of coming into contact with the above named student or seeing any students associated with the other incidents, and continues to experience flashbacks related to the occurrences. The emotional trauma has been compounded by the fact that on a recent occasion when he went to JFK to retrieve his paycheck, he was told that he was terminated, without any formal professional notification.

BETTY-ANN BURNS, Ph.D.  
*Licensed Individual, Marriage & Family Therapist*  
P.O. Box 5157, UOG Station  
Mangilao, GU 96923  
Telephone: (671) 734-1292  
Fax: (671) 734-1291

In a follow-up phone consult with Dr. Kim it was agreed that I see Mr. Capulong for two more sessions and to try to ascertain whether any pre-existing psychosocial circumstances exacerbate his current condition. Therefore, I am recommending two follow-up visits to evaluate for Post Traumatic Stress Disorder or R/O Acute Anxiety Disorder.

Thank you for this very interesting case, and I will be sending a follow-up report at the end of September.

Diagnosis:

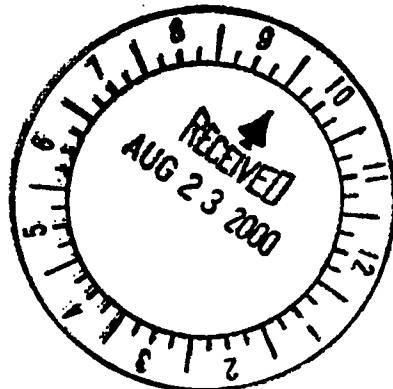
Axis I: Post Traumatic Stress Disorder  
R/O Acute Anxiety Disorder

Axis II: Unknown

Axis III: Not known

Axis IV: Psychosocial and Environmental Problems:  
Occupational Problems

Axis V: Global Assessment of Functioning  
GAF= 55 (current)



Sincerely,

Betty-Ann Burns, Ph.D.  
Counseling Psychologist

**LEO M. CAPULONG  
135 Orchid Lane Latte Hts.  
Mangilao, Guam 96913  
Tel # 632-7717**

**November 23, 2005**

**Mr. Juan Flores,  
Superintendent of Education  
Guam Public School System**

**Dear Mr. Flores,**

**Greetings to you!**

**Please let me start my letter congratulating you for all the success that the Guam Public School System have achieved and accomplished since you came and govern as Superintendent. May all your plans and goals be met leading to the success not only of all the school staffs but also producing dependable, hardworking and reliable good citizenship in our Island of Guam.**

**Sir, as a well trained and experienced teacher, I'd like to express my desire to go back and teach in our school system. I want to continue all my plans to share, out reach, and help building the morale and high self-esteem to our students, producing good, responsible and dependable citizens of the future. I know that what I had accomplished from our university here in Guam including all the workshops, in-service trainings and staff developments in our school, nourished and enhanced my teaching profession not only in my field but also in promoting and developing social, cultural and diversity to our students.**

**With all sincerity, I am now knocking at the door of your heart, to please help me. I'm asking for your kind hearted consideration. I know and I'm positive that with all your guidance and good counseling, I can achieve my goals. I shall do with all my strength to apply everything that is necessary to become the teacher that you expect of me. Thank you! And God Bless!**

**Respectfully,**

  
**Leo M. Capulong**

GUAM POLICE DEPARTMENT  
Report and Vehicle Release Information

Report Number: 00-07570  
Date: 3/7/00  
Officer: [Signature] CAREY  
Type of Report: ACCIDENT  
Wrecker Company: [Signature] TOWING  
Towed To: [Signature] TOWING

INSTRUCTIONS

Retain this card. You will be requested to provide the information on this card whenever you contact the Guam Police Department.

All reports shall be picked-up after five (5) working days from the day of the incident or Records Section, G.P.D., Tyber Building, #231, Ph: # 475-8497. Traffic accident Reports can be picked-up Monday-Friday, 8:00 a.m. to 5:00 p.m., and all criminal reports, or criminal related vehicle impoundments are available on a Friday only.

If your accident involves damages which exceed \$250.00 or any injury is sustained, you are required by law to report such an accident to the Department of Revenue and Taxation, GovGuam, within 10 days. Failure to submit the report could result in suspension of your Driver's License.



Government of Guam  
**GUAM POLICE DEPARTMENT**  
P.O. Box 23909  
Guam Main Facility, Guam 96921



**RECORDS & IDENTIFICATION SECTION**

06/02/00

**DATE**

**TO WHOM IT MAY CONCERN:**

The following is an abstract of the investigation report conducted by this Department:

COMPLAINANT'S NAME: LEODEGARIO M CAPULONG

ADDRESS: 135 PRCJOD LN. LATTE HEIGHTS

EVENT NO.: 00-07570 DATE & TIME REPORTED: 05/07/00, 11:40 am

DATE & TIME OCCURED: 05/01/00, 12:00 pm

CLASSIFICATION: ASSAULT

LOCATION & POINT OF ENTRY: JFK HIGH SCHOOL, UPPER TUMON

PROPERTY DAMAGE: N/A

INJURY(IES) SUSTAINED: REFER TO ATTACHMENT

DESCRIPTION OF VEHICLE & R/O (if applicable): NONE

DESCRIPTION & VALUE OF STOLEN ITEMS:

-----NOTHING FOLLOWS-----

Prepared by:

EDWARD T. RABINA, ACTING  
Norma /BING 1:10-cv-00005 Document 1 Filed 03/30/10 Page 6 of 72



Government of Guam  
**GUAM POLICE DEPARTMENT**

P.O. Box 23909  
Guam Main Facility, Guam 96921



**RECORDS & IDENTIFICATION SECTION**

06/02/00

**DATE**

**TO WHOM IT MAY CONCERN:**

The following is an abstract of the investigation report conducted by this Department:

**COMPLAINANT'S NAME:** Leodegario M CAPULONG

**ADDRESS:** 135 ORCHID LN. LATTE HEIGHTS

**EVENT NO.:** 00-07571      **DATE & TIME REPORTED:** 05/07/00, 11:55 am

**DATE & TIME OCCURED:** 03/30/00, 11:55 am

**CLASSIFICATION:** ASSAULT

**LOCATION & POINT OF ENTRY:** JFK HIGH SCHOOL, UPPER TUMON

**PROPERTY DAMAGE:** N/A

**INJURY(IES) SUSTAINED:** PAIN TO HEAD AREA

**DESCRIPTION OF VEHICLE & R/O (if applicable):** NONE

**DESCRIPTION & VALUE OF STOLEN ITEMS:**

-----NOTHING FOLLOWS-----

Prepared by:

**Norma/BING**

**EDWARD T. RABINA, ACTING  
Chief of Police**

Case 1:10-cv-00005 Document 1 Filed 03/30/10 Page 71 of 72

BY DIRECTION

MT24 MARTINEZ 00-07571 Report and Vehicle Release Information

Report Number: 00-07571 Date: 5/1/00  
Type of Report: Accident Officer: 213 CARBONATE  
Wrecker Company: Towed To: #89

INSTRUCTIONS

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